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The Fvening Star.

No. 15,179.

WASHINGTON, D. C., MONDAY, OCTOBER 21, 1901-FOURTEEN PAGES.

TWO CENTS.

BIG STAMP ROBBERY.

Burglars Get \$74,610 From the Post Office in Chicago.

JOB WAS CAREFULLY PLANNED.

Thieves Completed Their Work Under Noses of Employes.

STAMPS NOT ALL SALABLE

CHICAGO, October 21.—A sensational robbery which netted the perpetrators \$74,610 sullen mood and the excitement at the in stamps, was discovered here this morning, when the wholesale stamp department of the post office was opened for business. A rapid investigation developed the fact that the burglars had crawled under the flooring for about 300 feet, bored a hole in the bottom of the vault, secured the stamps and escaped, carrying their booty in a wagon.

ands of dollars.

The bottom of the vault is of steel half an inch thick. In this, ninety-seven holes were bored until a space eighteen inches square—just enough to allow the entrance of a man's body—had been so weakened that it was possible to take out the whole plate with little difficulty. A dry goods box stood over the hole thus made and concealed the work of the robbers while the finger marks of one of the burglars were still discernible on the dust of the box which he had pushed one side.

Job Was Carefully Planued. So carefully had the job been planned that

men working in other parts of the building had not the slightest inkling of the daring robbery being worked almost under their

The robbers drove up to the southeast corner of the post office building in a wagon, the tracks of which could be seen plain-ly today. The building is a temporary af-fair, and the men had only to open a little door to admit themselves under the flooring. To reach the vault it was necessary to erawl about 300 feet over odds and ends of boards, which littered the way. The route evidently had been carefuly studied, for a nearly overcome by the foul odors before assistance reached him. Having secured their plunder, the rob-

bers loaded it into the wagon, drove across a vacant lot and turned into Wabash avein "postage due" stamps and \$2,060 in spe-cial delivery stamps. So the convertible

4.828 were Pan-American stamps of 8 and 10 cent denominations

TO BE INTERRED IN ARLINGTON. Mrs. Cushman K. Davis Will Bring

Husband's Remains Here. ST. PAUL, Minn., October 21.-Mrs. Cushman K. Davis has left for Washington, D. C., where she will hereafter make her home. Previous to her departure she had the body of her late husband disinterred, and will take it to Washington for burial in the National cemetery.

The fact that the distinguished senator's body was to be removed from the state which had honored him in life has caused considerable comment. It had been proposed to erect a mausoleum in one of the city parks, wherein the body might be entombed, and a measure looking to this end was considered by the last state legislature. However, no action had been taken, and it is said that Mrs. Davis, becoming displeased with the delay in the matter, termined to remove the remains to Washington for final interment.

SERGEANT LANGE HANGS HIMSELF. Retirement of Aged Soldier Seemed to

Unbalance His Mind. SALT LAKE, Utah, October 21.-Grief over separation from army life, with which he had been associated for forty years, and to which he was greatly attached, is believed to have been the direct cause of the suicide at Fort Douglas of August Lange, ordnance sergeant. Lange was to have

Lange, who was sixty-one years of age, enlisted at the outbreak of the civil war. participating in many of its historic battles, and was wounded during the battle of Spottsylvania. In late years he took part many campaigns against Indians, and for the past fifteen years had been ord-nance sergeant at Fort Douglas. He leaves a widow and two grown daughters, who reside in this city.

been retired within a few days, and rather

than re-enter civil life he hung himself in

one of the buildings at the fort.

POWERS DENIES THE CHARGES. Declares He Never Conspired to Kill

William Goebel. GEORGETOWN, Ky., October 21.-The usual large attendance at the trial of former Secretary of State Caleb Powers for alleged complicity in the Goebel assassination was increased today by reason of the fact that this was county court day. Nearly all the prisoner's witnesses are now here, and among them is Holland Whittaker of Butler county, Taylor's home county, and now under indictment as a principal in the crime. Whittaker was released some time

ago on \$10,000 bond. When court convened Powers resumed his testimony. Powers said no one ever had his personal key to his office except Leo Davidson, son of Assistant Secretary Davidson. He gave Davidson his key to while he was away from Frankfort from January 12 to 17. Powers said:
"I want to say that there is a possibility

that the shots may have been fired from the secretary of state's office. Duplicate keys could have been made. But when Goebel was shot I had the keys to my office in

Powers denied most emphatically that he had ever conspired with any human being to do violence to William Goebel or any

MR. MeHUGH OUT OF JAIL.

Irish Member of Parliament Who Was

Sentenced for Sedition. DUBLIN, October 21 .- Patrick McHugh. member of parliament for the north division of Leitrim, who was sentenced April 23 to six months' imprisonment as a firstclass misdemeanant for publishing in his paper, the Sligo Champion, seditious libels calculated to interfere with the administration of justice, was released from Kilmainham jail today. Mr. McHugh was accorded an enthusiastic reception by a large crowd of people, who repeatedly cheered him and eagerly crushed forward to shake hands

The lord mayor of Dublin, Sir Thomas D. Pile; a numerous deputation from Sligo and John O'Dowd, member for South Sligo,

Mayo, were among those who welcomed him to liberty. Mr. McHugh drove in the lord mayor's carriage, followed by a long procession of carriages, to a hotel, where a luncheon was given in his honor. Mr. McHugh will sail for New York with

John Redmond and John O'Donnell on the steamer Majestic, which leaves Queenstown Thursday. RED LAKE INDIANS EXCITED.

Refuse Annuity Until Other Claims Are Also Paid. SOLWAY, Minn., October 21.-A. L. Kai-

ser of the Bank of Fosston and T. Burke of the Solway Mercantile Company have arrived from the Red Lake Indian agency with dispatches from Agent Mercer to the Indian commissioner at Washington. The Indians refuse to accept the annuity payment unless the money due from logging operations last winter is also paid at this time, as they claim it was promised them by the department. The Indians are in a

CANDIDATES FOR THE RED HAT. The United States Has Four in the

Grand Total. LONDON, October 21.-Candidates for the "purple" at the consistory which the pope usually holds about Christmas time, according to the Rome correspondent of the Pall Mall Gazette, are arising everywhere, their The work of forcing an entrance to the numbers seeming to increase in proportion vault had evidently been carried on with to the distance from Rome. The United the greatest patience for many days. It is States, for instance, besides the candidates believed, however, that the intention of the of long standing-Archbishops Corrigan and thieves had been to enter the cashier's Ireland, who represent two opposite tenvault, in which there was \$35,000 in money dencies in the American Roman Catholic and stamps valued at hundreds of thous- Church-has on this occasion two additional aspirants for the red hat.

There are only four vacancies in the col-lege of cardinals, and the American prelates are thought to have few chances of selection, as the pope is credited with a determination not to have more than one cardinal in the United States, fearing that the friction and antagonism would be difficult to harmonize and might be fatal to Catholicism in America.

BATTLE EXPECTED NEAR PANAMA Defeated Colombian Rebels Prepar

ing for Another Fight. KINGSTON, Jamaica, October 21.-Letters received here from Panama say the Colombian rebels lost heavily in a battle near there last Tuesday. The rebels are concentrating in a camp in the neighbor-hood, and both sides are preparing for a clash, which, it is expected, will largely de-termine the fate of the revolution.

CAUSED HIS COMRADE'S DEATH. Vale Student Arrested for Fracturing Another's Skull.

NEW HAVEN, Conn., October 21.-Henry MacDonnell Sedley, a Yale student, has detective who went under today without been arrested by the police for causing the knowledge of locations became lost and was school. The police say that Corrigan and Sedley, with other students, were in a lunch wagon near the campus late Saturday night, and that Sedley threw Corrigan of the \$74.610 in stamps taken, 4.712 were from the wagon so that he struck on his head, fracturing his skull.

TO OVERTHROW JAPAN'S CABINET. Marquis Ito's Party Engaged in the Movement.

YOKOHAMA, October 21.-The Marquis Ito's party has initiated a strong movement to overthrow the cabinet. Important political developments are anticipated.

WILL BE TWO VACANCIES SOON. Brigadier Generals Hall and Merriam to Retire Next Month.

Gen. Robert H. Hall, who retires from the army on the 15th proximo on account of age, is on a visit to this city, staying at the Ebbitt House. There are about sixty candidates for the two vacancies in the list of brigadier generals which will result from his retirement and that of Gen. H. E. Merriam, which will occur on the 13th proximo.

Among the number are Col. Thomas Ward and Lieut. Col. William H. Carter of the adjutant general's department, Col. J. P. Sanger of the inspector general's department, Cols. Guenther, Randolph and Hasbrouck of the artillery, Col. Hains and Lieut. Col. Ernst of the engineers, Cols. Rafferty, Wells, Hayes, Wheelah and Moore of the cavalry and Cols. McKibbon, Kline, DeRussy, Burt, Snyder and Page of

CAPTAIN BEACH DISSENTS.

His Views Respecting Service of Assessment Notices. Mrs. J. B. Pomeroy of Newport, N. Y.

recently applied to the District Commissioners for permission to pay a water main assessment against property owned by her in Widow's Mite subdivision upon tender of the principal, the penalties and interest to be waived in consideration of the fact that she received no service of notice. E. W. W. Griffin, the assistant assessor, recommended favorable action, saying that the owner is a non-resident, and notice of the assessment was never "properly or effectually" served, being placed upon the open lot. The first three installments of the tax were sold and the assistant assessor recommended that each of these sales be declared void and the purchase money efunded the purchasers, and that the original tax be restored and payment received on tender of the principal. Captain Beach, the Engineer Commis sioner, in passing upon the papers in the case, said:

"Owing to the number of cases where notice was served by placing assessment bill upon the lot, where it was found impossible to locate the owner, it is not believed to be good policy to declare such notices as improperly and ineffectually served until the courts have rendered such decision. The amount of revenue involved is such that it does not appear to me advisable to allow the assessment to remain unpaid unless the courts decide the assess-ment is uncollectible."

Relieved From Recruiting Duty.

The following officers have been relieved from recruiting duty at the places named: Capt. John P. Finley, 9th Infantry, Syracuse, N. Y.; Major Silas A. Wolf, 19th Infantry, Newark, N. J.; Major George F. Chase, 7th Cavalry, Milwaukee, Wis.; Major Ammon A. Augur, 20th Infantry, Boston, Mass.; Capt. Edwin P. Brewer, 7th Cavalry, Cleveland, Ohio; Capt. Zebulon B. Vance, 11th Infantry, Charlotte, N. C.; Capt. Edwin P. Pendleton, 23d Infantry, Providence, R. I.; Major Robert P. P. Wainwright, 5th Cavalry, Chicago, Ill.; Capt. Charles D. Clay, 17th Infantry, Nash-ville, Tenn.; Capt. Edward H. Plummer, 10th Infantry, and First Lieut. Edward W. Pahingan, 28th Infantry, at San Francisco. Robinson, 28th Infantry, at San Francisco

The McClellan Sails From Manila. Acting Adjutant General Ward has been informed of the departure from Manila of the transport McClellan for San Francisco with three companies of engineers aboard.

Vegetables Raised by Indians.

Commissioner of Indian Affairs Jones had his desk completely covered today with samples of vegetables received from the Blackfoot reservation, Montana. In the collection were potatoes, carrots, parsnips, cabbages, cauliflower, beets and onlons. Many of the samples were the largest ever sent to the department, and they speak volumes for the climate of the country and the work of the Indians.

EFFECT OF NEW CODE COURT OF CLAIMS RESUMES JAPAN'S STATESMAN

Offic a's in the District Appear to Be Legislated Out.

MARSHAL, CLERKS AND POLICE JUDGES

Justices of Supreme Court and Court of Appeals Excepted.

Of general interest to the public at large, but particularly to a large number of local officials, coming, too, in the nature of a surprise, is the assertion that the new code hence, will legislate the officials referred | eight hours a day. to out of office. Judge Ivory G. Kimball and Judge Charles F. Scott of the Police marshal for the District of Columbia, and favor of the government. Mr. Henry P. Cheatham, recorder of deeds for the District of Columbia, and various others are said to be included in the list of those whose terms of office are affected. The claim is advanced that unless an the code goes into effect, or unless they are reappointed by the President, their terms

of office will expire January 1 next.

The belief is that such a situation as that lescribed was not brought about deliberately, but was, on the contrary, wholly unintentional. It is declared, however, that unless one or the other of the two remedies mentioned are applied, the officials to whom reference has been made will cease

to hold office at the time indicated. A Star reporter interviewed Mr. Thomas M. Fields of the local bar, who has closelly examined the code, so far as it relates to the matter at issue, and he made the fol-

lowing statement bearing thereon: Provisions of the Code.

Section 1 of the code continues in force in the District of Columbia the common law, all British statutes in effect in Maryland February 27, 1801; the principles of equity and admiralty; all general acts of Congress not locally inapplicable in the District of Columbia, and all acts of Congress by their terms applicable to the District of Columbia and to other places un-der the jurisdiction of the United States, in force at the date of the passage of the act, March 3, 1901, except in so far as the same are inconsistent with, or replaced by, some provision of the code.

Section 1636 repeals all acts and parts of acts of the general assembly of the state of Maryland general and permanent in their nature; all like acts and parts of acts of the legislative assembly of the District of Columbia, and all like acts and parts of acts of Congress applying solely to the District of Columbia, in force in said Dis-trict on the day of the passage of the code, March 3, 1901. From this repealing clause certain acts are excepted, among which are acts or parts of acts authorizing, defining and prescribing the organization, powers, duties, fees and emoluments of the regis ter of wills of the District of Columbia and his office. Section 1640 substantially repeats section 1.

Justices of the Peace.

Section 3 provides that there shall be ten justices of the peace in the District, who shall be appointed by the President of the United States. There is no provision in the code which abolishes the present office of justice of the peace except the repeal of the laws under which they have been apno doubt but that the code does repeal those laws and therefore abolishes the offices and tenure of the pres-ent justices of the peace. Section 42 provides that there shall con-

tinue to be a Police Court in the District, as at present, consisting of two justices earned in the law, appointed by the President. There is no provision whatever for continuing in office the two present incumbents of the Police Court bench. As the code expressly repeals the laws under which these judges have been appointed, and under which they now hold their offices, it seems clear that the effect of the code is to legislate them out of office.

Regarding the United States Marshal Section 186 provides that there shall continue to be a marshal for the District, who shall be appointed by the President of the United States. The code is entirely silent as to continuing the incumbent of the office of marshal in his position. As the laws under which the marshal now holds his commission are repealed by the code, it appears that he is also legislated out of

Section 548 provides that there shall be a recorder of deeds of the District appointed by the President. As the code also repeals the laws under which the incumbent of the office of recorder of deeds of the District of Columbia holds his place, it follows that he is also relegated to private life. It apquite manifest that the incumbent of the office of register of wills for the District of Columbia is continued in office by the code by virtue of the exception noted in the repealing clause. Section 60 provides that the Supreme Court of the District shall continue as at present constituted and consist of a chief justice and five associate justices. the President of the United States. The language of this section appears to be effectual to continue the present justices of the Supreme Court in their offices. pecially as their appointments are for life. It may be probable also that the present clerk of the court is continued in office, although the reference to the justices only in section 60 and the special provisions contained in section 65 and section 174 may cast some doubt upon his tenure; but even if it be true that he is affected by the code this can easily be remedied by his reap-pointment by the court and qualification under the provisions thereof, and no addi-tional legislation by Congress would be

necessary to accomplish this purpose. Court of Appeals.

Section 221 provides that the Court of Appeals of the said District shall continue as at present organized and shall consist of one chief justice and two associate justices, who shall be appointed by the President. For the reasons above stated with respect to the justices of the Supreme Court of the District of Columbia it may be safely said that the present justices o the Court of Appeals are also continued in office. There is, however, no provision which expressly continues the present clerk of the Court of Appeals in his office language of the code respecting the offices of clerk of the Supreme Court of the District and of the Court of Appeals is quite different, and it seems probable from a close reading of the law that the present clerk of the latter court could not exercise his official functions after the code becomes operative on January 2, 1902, unless he be reappointed by the Court of Appeals and shall qualify under the code. But this also, as in the case of the clerk of the Supreme Court of the District, may be readily ac-complished for the reasons stated without further legislation by Congress. The same may be said as to the assistant or deputy clerks of both courts, and also as to to official reporter of the Court of Appeals. With respect to the present deputy mar shals, criers, messengers, clerks and deputy assistant clerks of the Police Court and other office's and employes of the various courts, while the effect of the code may be to legislate them out of their present offices in so far as their appointments are to be made by the courts rather than by the

(Continued on Sixth Page.)

RECORD OF CASES HEARD LAST YEAR.

Nearly 6,000 Claims Concerning Battles of Manila and Santiago-French Spolintion Cases.

The Court of Claims opened its session today. During the year 137 general jurisdiction or miscellaneous cases growing out of government contracts, use of patented inventions, salaries and fees of United States officials, army and navy pay, land entries, etc., were determined by the court. VIEWS OF AN ATTORNEY Judgments were entered in 112 cases in favor of the claimants and in twenty-five cases in favor of the United States, the petitions in the latter cases being dismissed. One hundred and seven other cases of this class were dismissed for want of prosecution. Judgments were also renof law enacted March 3 last, which is to dered in favor of the claimants in 448 letgo into effect a little more than two months | ter carrier claims for overtime in excess of

About 600 Indian depredation cases were decided. In 318 cases the judgments were Court, Mr. Aulick Palmer, United States in favor of the claimants and in 281 cases in

Under the act of March 3, 1883, known as the "Bowman act," 350 cases, mostly claims for stores and supplies alleged to have been furnished the military forces of the United States during the war of the rebellion, were decided. In 109 claims the amendment to the code continuing the in-cumbents in office shall be enacted before claimants and in 241 cases were dismissed. Last winter and spring the court was ac-ively engaged in the trial of what is known as the French spoliation claims, of which 210 cases were decided. Of these, in 124 cases awards were made in favor of the claimants and in eighty-six cases the claimants were unable to prove their

Manila and Santiago Claims.

The court also practically disposed of all the naval bounty claims growing out of the engagements at Manila bay, Santiago bay and other minor engagements during the Spanish war, in all 3,987 individual cases, and they have been reported to the Treasury Department for payment. During the progress of the trials of these

cases many novel questions were presented to the court and disposed of. It was held that the shore batteries with their forces at Manila bay should not be taken into consideration in determining whether the enemy was of superior force to that of the United States vessels engaged in the battle. Another interesting question decided in the matter of the battle of Manila bay was that the collier Nashan and the supply vessel Zafiro were not entitled to share in the bounty, it being held that their erews were merely hired and not enlisted, and that the vessels were not fitted for participating in a naval engagement. Those Entitled to Bounty.

Other questions decided were that the Resolute, Fern and Harvard were entitled to share in the bounty, they being within signal distance, although they were required to withdraw to a point of safety at the opening of the battle. The Harvard was at considerable distance, but the court found that she was within signal distance of the commander-in-chief. Also that battalion of marines attached to the Reso lute, but on shore forty miles away at the time of the battle, were not entitled to It was held that officers who were entitled to examination and promotion on the day of the engagement and were subsequently promoted were entitled to share according to their promoted rank; that oficers and men of the United States ship Massachusetts serving on board the Iowa, although not borne on the rolls of the Iowa, were entitled to share; that enlisted who deserted after the engagement, and that those temporarily in the hospital were not entitled to share, although men

duty were entitled to bounty.

The entire number of cases disposed of during the year was 5,838. When the court took its summer recess there were eighty cases which had been submitted and were awaiting decision, thirty of which were French spoliation

temporarily detached elsewhere on active

During the summer these cases were made ready for conference and report, so that the court is now up to date with its

GIVEN TO MAJOR BLACK. Fort Foote Will Be Within His Juris-

diction. General Gillespie, chief of engineers, has approved a proposition made by Major Black, commanding the engineer post at Washington barracks, that his jurisdiction be extended over the military reservation at Fort Foote, Maryland, with a view to the use of that reservation for practical instruction in engineer work. Fort Foote is at present an ungarrisoned post, and has been practically unused for military purposes for several years past. Heretofore it gineer officer in charge of this station. Colonel Allen, but in view of its proposed use in connection with the engineer school it will be placed under command of the

PAY OF PETTY OFFICERS.

officer in charge of the school.

Ratings Established by the President's Order.

The President has by executive order established the ratings and pay per month of petty officers and other enlisted men of the commissary branch of the navy as follows: Chief commissary steward, \$70; commissary steward, \$60; ship's cook, first class, \$55; ship's cook, second class, \$40; ship's cook, third class, \$30; ship's cook, fourth class, \$25; baker, first class, \$45; baker, second class, \$35. Landsmen detailed as crew messmen shall while so serving, except when assigned as reliefs during temporary absence of the regular crew messmen, receive extra compensation at the rate of \$5 a month. This order is based upon recommendation of the board on mess ing system and ration for the navy. order is promulgated at the present time in order that the bureau of navigation may have from now to January 1 to procure suitable men for the ratings.

Personal Mention. Mr. Allen, commissioner of patents, went

to New York today. The Rev. Dr. J. MacBride Sterrett has gone to New Haven to attend the Yale bicentennial exercises as the delegate from Columbian University.

Dr. H. M. Newman has returned home after an extended visit in Europe.
Col. C. A. Woodruff of the artillery corps is visiting friends at 1644 21st street.

Departure of Mr. Hackett. Assistant Secretary Hackett of the Navy Department has gone to New Hampshire to spend a few weeks' vacation prior to his retirement from the Navy Department in order to resume his law practice in this city.

Payment of Pensions. The Secretary of the Inte dor has made equisition on the United States treasury for \$13,350,000 for the payment of pensions. Of this amount \$4,050,000 will be sent to Topeka, Kan., for distribution: \$1,850,000 to Phiadelphia, \$1,750,000 to New York, \$1,000,000 to Louisville, Ky.; \$2,000,000 to Knoxville, Tenn., and \$3,300,000 to Indiananolis.

Marquis Ito Received by the Presi-

CALLED ALSO ON SECRETARY HAY

Will Go On to the Yale Celebration.

TOUR OF THE COUNTRY

The distinguished Japanese statesman, Marquis Ito, was the guest of President Roosevelt at luncheon today. The marquis called early at the White House this morning to pay his respects. He was escorted by the resident Japanese minister, Mr. Takahira, and by Mr. Tsudzuki, formerly vice minister of foreign affairs of Japan, but at present acting as one of the secretaries to

the Marquis Ito. The President received his callers in the blue rooms and gave father died he became the samural under them a cordial welcome. Marquis Ito talks English with facility, as does also Mr. Tsudzuki, and the President was much interested in their conversation. Having been From then until the present time his career prime minister of Japan several times, and especially during the war with China, and having taken a leading part in the establishment of constitutional government in Japan, Marquis Ito was particularly wellinformed on topics in which the President was interested.

Mr. Tsudzuki, who is also a member of the house of peers of Japan, and a man of strong character, is giving especial attention to financial, industrial and commercial conditions in the United States, and has observed many things of interest even in the short time he has been in this country so he was also able to add his share to the



interesting conversation with the President It was the desire of President Roosevelt to give a dinner in honor of the visiting Japanese, and, indeed, he pressed the marquis to accept an invitation to dinner on the 26th instant, which is about the earliest date that a formal dinner would be in or White House. But the marquis was obliged to decline this invitation, as it would conflict with his engagement to attend the Vale bi-centennial So the Presi dent was obliged to content himself with Marquis Ito's company at luncheon today at the White House. Secretary Hay and Mr. Tsudzuki completed the party. After leaving the White House the marquis and his secretary called at the State Department and paid their respects to Secretary Hay and Assistant Secretary Hill

and then spent some time in a drive about town. Looking Remarkably Well.

The Marquis Ito is looking remarkably which have been in circulation. He walks firmly and carries himself erectly. He is a man of middle statue by our standards, but would be regarded as above the average height in Japan. A sparse beard, perfectly black in spite of his mature years, rather takes away from the oriental cast of his features, which, indeed, have a strength, and express a determination consistent with the Marquis Ito's record as one of the epoch-makers of Japan.

Today he wore American clothing of fash-

ionable cut, a frock coat and dark trousers and a soft hat, and wore them as one used

to the raiments of civilization. Mr. Tsud-zuki was clothed in the same style, and together with the marquis and his tary fully met the standards of high civilization in manner, attire and conduct.

The marquis is in the United States on his present visit for his health and also to receive a degree that will be conferred upon him by Yale. More than a year ago he was notified by the faculty of Yale that the degree would be conferred upon him and promised to be present at the services, which will take place at New Haven this week. A number of young men from Japan have graduated from the university and the

marquis is interested in seeing what kind of an institution it is. The Situation in Japan.

The political situation in Japan has had the close attention of the students of oriental politics for a dozen years, or since the present constitution was promulgated. The marquis was practically the author of the constitution.

without cessation over the question, "Shall the imperial ministries represent and be responsible to the party at the time in power in the parliament, or shall the prothem responsible to the emperor only stand The marquis has resisted the demand for responsible ministers and party govern-ments throughout the struggle, but within the last two years he has been the fou

and is now the leader of a party called the

Since then he has been the chief figure in

the contests that have been waged almost

Constitutional Party Association. The object of the party is to preserve the letter of the constitution and at the same time secure for the empire the benefits of popular government. The new parliament of the empire wil neet in December., when the fight will be renewed with vigor and the strength of the narquis' new party will be tested fully. The marquis will not return to Japan

fore the first months of the year, as he contemplates spending considerable time on the European continent.

He is apparently in vigorous health and is said to give credit for this the pleasant trip he has made through the

United States. Arrival of Marquis Ito.

Marquis Ito arrived in the city yesterday afternoon. He was met at the Pennsylvania railway station by the Japanese minister, Mr. Takahira, and the entire legation staff, who accompanied him to the Arlington. During the afternoon he received a few callers, among them former Secretary of State John W. Foster.

In the evening the marquis was enter-tained at dinner at the legation. Only the visiting party, which, in addition to the marquis, included Mr. K. Tsudzuki, ex-vice minister of foreign affairs, and Mr. S. To-

kioka, and the members of the legation stair were present at the dinner. To an Evening Star reporter Mr. Tsudzuki, who acts as private secretary, said that the marquis was averse to being interviewed; that he came to the United States to ob-serve and not to be observed.

Refuses to Be Interviewed.

"Marquis Ito is of a very retiring disposition," he continued. "He does not like publicity, and it is chiefly this which makes him refuse to see all newspaper men. Although he has an iron constitution, he is afflicted just now with a sort of heart failure, of which he has had three attacks during this year.

"He is much pleased at the advances this government has made in the east, as we all are, and he and all of us hope to see further development there on your part. Passing through this country the marquis has commented on the great commercial and industrial development which has taken place since his last visit here. He is much pleased with America.
"The marquis is an hereditary member

of the senate of the Japanese parliament, which is quite similar to your congress. He is also a counselor to the throne, an honorary office. He was the prime minister of Japan at one time for several years. but at present holds no public office of this Greatest Japanese Statesman.

Marquis Hirobumi Ito is without doubt

the greatest of Japanese statesmen. He was born in Yamaguchi and is the son of a Japanese samural, or governor. When his the noted Prince Mori. The affairs of his province were conducted with such signal ability that he was made a magistrate. has been upward.

He first entered the cabinet as a secre-tary, and was later made minister of the home department, minister of the treasury, minister of foreign affairs, and finally prime minister, which position he held for fifteen years.

outbreak of the China-Japan war Marquis Ito was a count and the chief of the Japanese forces, a position correspond-ing to the Secretary of War in this coun-try. He was made a marquis at the close of the war. He was the man who framed the constitution of Japan and instituted the constitution of Japan and instituted the house and senate. In fact, all modern forms of civil government now in vogue in Japan were worked out by him. Although he spends much of his time at Tokyo, his home is at Oiso Park, where he owns one of the most magnificent residences of the

TO SUCCEED MAJOR HARLOW. William D. Foulke Asked to Be Civil Service Commissioner.

Announcement has been made at the White House that Major John B. Harlow of the civil service commission has resigned his position and that he will be sent back to St. Louis to a responsible position under the postmaster of that city. At the same time it is stated that the President has tendered the vacancy to Wm. Dudley Foulke of Indiana, and it is announced that Mr. Foulke, who is well known throughout the country for his connection with the National Civil Service Reform League, will accept. Mr. Foulke is a native of New York, but has

lived in Indiana since 1876.

The President has received word that Mr. Foulke will accept and will be ready to begin the performance of his duties No-

The appointment of Mr. Foulke is a personal one and is the greatest testimonial to be had that under President Roosevelt the civil service laws will mean all that Conress intended they should mean. Mr. Foulke is a graduate of Columbia College and of the Columbia Law School in New York city. He has been a member of the Indiana state senate. He has written two books, "Slav and Saxon" and "Life of Oliver P. Morton." Mr. Foulke has been identified with a number of organizations looking to civil service in the government and for long time has been chairman of a committee of the National Civil Service Re-

HELP FROM RUSSIA.

Government Confident of Saving Miss Stone Through Muscovite Influence. There has been no report since Saturday

at the State Department from Turkey or Bulgaria touching Miss Stone's case. The officials, however, are by no means discouraged and are still confident that they will succeed in saving her life, but whether by diplomacy or by force is not clear. It empty. He was not sure, but it was his im well considering the reports of his ill-health | is gathered that the friendship of the Russian government has much to do with the confidence of the officials here. That government has responded in the most cordial spirit to the appeal of the State Department, which, unable itself from geographical and political reasons to exert pressure upon the government of Bulgaria, has been pleased to avail itself of the powerful influence of Russia on that government. The Turkish government has, for its part, respended in the same spirit to the appeal of he appeared this morning he said that he the United States, and altogether the two governments, Turkish and Bulgarian, have probably been put to a degree of expense equal to the amount of the ransom demand-ed by Miss Stone's captors in the military operations they have already directed in her interests.

AFFAIRS AT TUTUILA.

Commander Dorn Reports Friendly Feeling Toward United States.

The Navy Department has received a re-

port from Lleutenant Commander E. J. Dorn, who has been in charge of the naval station at Tutuila, Samoa, during the absence of Captain Tilley, upon the condition of affairs on that island. Commander Dorn made a trip aboard the Abarenda to the Island of Manua on September 18, and reports a very rough passage. The chiefs and leading men of Manua, says Commander Dorn, extended to himself and his officers a very cordial reception. During the stay on Manua a case involving certain questions of Samoan customs was amicably settled. An increased friendly feeling among the natives of this island for the United States is said to be apparent.

The health of the ship's company is ex-cellent, it is stated, and the affairs of the station are progressing favorably. A considerable amount of grading has been done by native labor, the natives of the various villages being employed in turn, in order that all may derive benefit from the money thus distributed. Work on the pier and coal shed is being pushed toward completion, and at the present time a vessel could go alongside the pier if necessary.

Prizes Offered by City Authorities According to reports received at the State Department from Frankfort, Germany, the municipal authorities of Madrid, Spain, have offered a prize of \$450 for the best model of a grating for draining openings in R. I.? street pavements, and another of the same amount for a filter for water pipes, which must have a capacity for filtering 211 gallons of water an hour. Deputy Consul Gen-eral Hanauer at Frankfort says "American manufacturers may find it profitable to submit models and bids for supplying these

The post office and railroad station at Woodside, Montgomery county, Md., was rooms. About 400 1-cent stamps were taken. A woman's handkerchief, with black trimming, was left in the office. A wire halrpin was also found which had been used in trying to pick the lock. Two letters were opened. The railroad tickets were not molested. separating the office from the waiting

an advertising medium. WELLS RECALLED

As an every day up to date

all the other papers in Wash-

product The Evening Star leads

ington. It has much the largest

and best circulation in the city, among both men and women, and therefore has no rival as

Schley's Secretary Again on the Stand.

DESCRIBES RECEIPT OF DISPATCHES

Dispute Regarding the Admission of Testimony.

CORRECTIONS BY WITNESSES

The largest audience that has yet assem-

bled at the meeting of the Schley court of inquiry was present in the court room at the navy yard this morning at 11 o'clock. The court had much the appearance of a social function. There were quite a number of carriages that were driven into the yard and to the gunners' workshop, where the court has its quarters. Of the attendance four-fifths were ladies. The court was, as usual, prompt in beginning the proceedings, and not only the members of the court, but counsel, were apparently in brighter and fresher frame of mind than usual. After the witnesses of former days had been recalled for the purpose of correcting their testimony Lieut, B. W. Wells, jr., secretary to Commodore Schley during the Cuban campaign, resumed the testimony which he had begun Friday. After a few preliminaries he began his narration of the battle of July 3, and was then ques tioned at some length by Mr. Rayner be fore he was turned over to Capt. Lemly and Mr. Hanna for cross-examination. Other witnesses called for the day were Mr. Edward Graham, the Associated Press correspondent, who was with Commodore Schley on the Brooklyn from the beginning of the campaign at Hampton Roads until its close; Lleut. Edward Simpson, who served on the Brooklyn, and Mr. Dennis I.

Correcting Previous Testimony.

The first business before the court today was the correction of reports of testimony previously given. Capt. Cook, commandng officer of the Brooklyn, appeared and asked to make an additional statement. He had, he said, spoken from hearsay when he said that the Oregon on the morning of July 3 had shifted her boilers and gotten up steam on all of them.
"I find," he said, "that she did not shift

the boilers that morning, but she had steam on all her boilers at all times while in the Santiago blockade."
He stated that what he had said when on the stand previously was what he had heard and from the speed of the Oregon he had accepted it as true, without knowing that steam had continuously been on all

Captain John L. Hannum when called to correct his testimony was asked by the court how soon after he went aboard the Merrimac it was that she was able to get up a speed of from six to seven knots. Capt Hannum was the chief engineer of the squadron. He replied that he had no stated it was from six to seven knots and it was five knots she made, and that was made directly after he first went aboard the Merrimac. The camaged part of the Merrimac's engine had been taken from her on the forenoon of the 27th and returned on board after having been repaired on the

afternoon of the 28th. Capt. Hannum then wanted to make a statement and produced a memorandum and the judge advocate asked if he pro posed to read the paper he had. He replied it was a copy of a portion of the log of the Brooklyn. He said he wanted to make a statement in regard to the water supply in the boilers of the Brooklyn on July 3d. His statement was a personal one,

ness could correct his own testin

that the correction he wanted to make appeared not to relate to his own testime not make a statement in correction of the statement made by another witness.
Lieut. Carter, assistant engineer of the Brooklyn, in correcting his testime he thought, on reconsidering his statement made Friday, that there was some water in the two boilers he had before said were

Admiral Dewey remarked that the wit-

pression that some water was in those boilers. They were making a great effor The Brooklyn's Course.

Ensign W. P. Cronan, who was on the Brooklyn, was asked while on the stand Friday to measure the distance traveled by the Brooklyn from her blockading station off the Morro to the point she reached at the end of the battle of July 3. When had complied with this request and he had found the distance to be, from the beginning of the battle up to 1:15 p.m., thirty nice miles. This was measuring in straight line from the two locations. said that he could not measure the dis-tance over the course actually run by the Brooklyn between these two points, as he was not able to indicate what that course was. In asking the question the judge advocate said he wanted the distance from the blockading station at Morro to the end of the run, or until the Brooklyn stopped

Captain Parker took exception to this statement of the case, and said the Brook-lyn did not stop until about 2 o'clock. The time 1:15 p.m., he said, was merely the time when the Colon went ashere.

Port Engine on the Texas. Chief Machinist J. L. Hunley, who testi-

fied Friday that he was at the throttle of the port engine on the Texas during the battle of July 3, and that that engine was not stopped or backed during the battle when called to certify to the correctness of his testimony, was further questioned by the judge advocate. He said that he had relieved Hill on the throttle of th port engine after general quarters. was questioned closely to see whether during the battle he had left the throttle of the port engine to look at the blowers, but he thought that he had not done so. The tes-timony of Claxton, who had previously said that he was at the throttle and stopp d attention and he insisted that he himself was at the throttle during this period. Q. (By the judge advocate)hand on the throttle all the time? A. Very nearly all the time.

Q. Do you think it possible that a signal was made to back without your knowing it? A. I do not think so.

Q. How long had you been stationed or board the Texas at that time? A. I had been on board that vessel about two years.
Q. Were you on board the Texas when she ran ashore in the harbor at Newport,

Objection by Mr. Rayner. Mr. Rayner promptly objected to the asking of this question, and said he did not see what the running ashore of a vessel at Newport had to do with this case.

The judge advocate said that it had a very important connection with this case, as he proposed to show that the witness had previously made mistakes in regard to signals which had resulted in disastrous consequences. Mr. Rayner said that ever if it were shown that he had made a mis entered this morning by forcing a back window and the window to the partition to contradict his testimony. The fact that a man had made a mistake did not convict

a man had made a mistake did not convict him of telling a falsehood, and his testimony before the court of inquiry simply related to a statement of a fact.

Mr. Rayner then argued against the admission of this question at some length. That negligence is shown, he said, could not be used to affect the testimony of a mistake. witness. Because he had made a mistake